

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

ZIEGLER et al.

(Div. of Appl. No.: 09/431,099)

Appl. No.: to be assigned

Filed: herewith

For: **Nucleotide Sequences Coding for the
ThrE Gene and Process for the
Enzymatic Production of L-Threonine
Using Coryneform Bacteria**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt. 21123/282413

Preliminary Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In advance of prosecution, please amend the above-captioned application as follows:

In the Specification:

Please amend the enclosed application by providing a new cross reference to related applications before the first line of the specification, which reads as follows:

-- Cross Reference to Related Applications

The present application is a division of U.S. application 09/431,099, filed November 1, 1999, which claims priority to German application 199 41 478.5 filed on September 1, 1999.--

In the Claims:

Please cancel all claims 1-15 without prejudice except claims 6-14.

Please add new claims 16-18 as follows:

- 16. The process of claim 6, wherein microorganisms of the genus *Corynebacterium* are used.
- 17. The process of claim 11, wherein microorganisms of the genus *Corynebacterium* are used.

- 18. The process of claim 12, wherein microorganisms of the genus *Corynebacterium* are used.

Amendment

Claims 1-5 and 15 were cancelled and new claims 16-18 were added. Claims 6-14 and 16-18 represent the claims in non-elected restriction Group III, as set forth by the Examiner in the Office Action dated February 8, 2001, in the parent application No. 09/431,099.

Conclusion

The amendments above do not add new matter to the application, and their entry is therefore respectfully requested. It is believed that the present application is now in condition for immediate allowance and early notice to such effect is earnestly solicited. If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to call Applicants' undersigned attorney at (703) 905-2173.

Respectfully submitted,

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